

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**      )  
                                          )  
                                        )  
**Plaintiff,**                        )  
                                          )  
                                        )  
**v.**                                    )      **Case Nos. CR-13-33-R**  
                                          )      **CR-13-34-R, CR-13-194-R**  
**JESSICA RENEE CHRONISTER,**    )  
                                          )  
                                        )  
**Defendant.**                        )

**ORDER**

By letter received June 29, 2018, Defendant Chronister requests that the Court reduce her sentence based on a successful completion of (a) six years of her original 168-month sentence and (b) a variety of educational programs offered at her place of incarceration. The Court previously denied Defendant's request for reduction pursuant to Amendment 782 because she had been sentenced below the range that applies after Amendment 782. *See, e.g. United States v. Rhodes*, 549 F.3d 833, 841 (10<sup>th</sup> Cir. 2008). Defendant also filed a motion pursuant to 28 U.S.C. § 2255, seeking a reduction of her sentence based on the Supreme Court decision in *Johnson v. United States*, 135 S.Ct. 2551 (2015). The Court denied both motions, and the United States Court of Appeals for the Tenth Circuit affirmed both decisions on October 7, 2016.<sup>1</sup> (Doc. Nos. 100, 108, 118). Defendant's instant request fares no better than any of her prior requests.

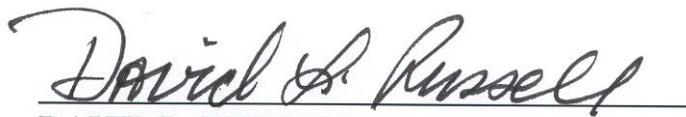
The Court lacks the authority to reduce a defendant's sentence absent explicit

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<sup>1</sup> Defendant filed a motion on December 30, 2016 seeking relief based on § 2255 and Sentencing Amendment 794. The Court dismissed the motion for lack of jurisdiction. (Doc. No. 122).

Congressional authority. *See Dillon v. United States*, 560 U.S. 817, 824 (2010). The Court previously determined § 3582 did not apply and the only other alternative would be via government motion as set forth in Federal Rule of Criminal Procedure 35. *See United States v. Baker*, 769 F.3d 1196, 1197 (10th Cir. 2014). Because there is no such motion before the Court, the Court lacks jurisdiction over this request, which is therefore DISMISSED.

IT IS SO ORDERED this 2nd day of July 2018.



DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE